

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

LORA E. LAVINE,

Civil No. C06-0511-RSL

Plaintiff,

ORDER

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

Based upon review of the file, and noting the stipulation of the parties, it is hereby

20 ORDERED that the above-captioned case be reversed and remanded to the Commissioner of
21 Social Security for further administrative proceedings as set out in the stipulation of the parties

22 On remand the Administrative Law Judge (ALJ) will be directed to offer Plaintiff a new
23 hearing. At the hearing, Plaintiff will be given the opportunity to present additional evidence
24 and/or arguments. The ALJ will be directed to further consider and re-evaluate the medical
25 source evidence, in particular from Gary McCallum, M.D., Robert A. Morris, PA-C, Kerry
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1 Bartlett, Ph.D., and Donald E. Piro, Ph.D., including the diagnosis of fibromyalgia and the
2 functional limitations arising from any mental impairments Plaintiff may have. The ALJ will be
3 directed to further evaluate Plaintiff's credibility. The ALJ will be directed to further develop the
4 record and to take any further action necessary to render a new decision in this matter.
5

6 Reasonable attorney fees will be awarded, upon proper application, pursuant to the Equal Access
7 to Justice Act, 28 U.S.C. § 2412.
8

DATED this 11th day of September, 2006.

Robert S. Lasnik

Robert S. Lasnik
United States District Judge

12 Recommended for Entry this
13 31st day of August, 2006.

14 /s/ JAMES P. DONOHUE
15 United States Magistrate Judge

16 Presentd by:

17 s/ TERRY E. SHEA, WSB # 27609
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19 Attorney for Defendant
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